

1 Federal Rules of Civil Procedure, including Plaintiff's Opposition and Defendant's
2 Reply, and oral argument,

3 The Court Finds:

4 1. Torres Martinez Desert Cahuilla Indians is a federally-recognized
5 sovereign Indian nation immune from unconsented suit;

6 2. The Federal and California state statutes alleged as bases for the
7 Plaintiff's claims do not apply to the governmental functions of a sovereign Indian
8 tribe; and
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10 3. No purpose would be served by granting Plaintiff leave to amend his
11 Complaint.
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13 JUDGMENT IS ENTERED as follows:

14 1. The Plaintiff recover nothing; and

15 2) This action is dismissed in favor of Defendant.
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17 Entered this 22nd day of September , 2010
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19 /S/ FREDERICK F. MUMM
20 FREDERICK F. MUMM
21 United States Magistrate Judges
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